

CLERK'S OFFICE U.S. DIST. COURT  
AT CHARLOTTESVILLE, VA  
FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Charlottesville Division

FEB 15 2012

JULIA C. DUDLEY, CLERK  
BY [Signature]  
DEPUTY CLERK

ALBERT CLATTERBUCK,  
CHRISTOPHER MARTIN,  
EARL MCCRAW,  
JOHN JORDAN, AND  
MICHAEL SLOAN,

*Plaintiffs,*

v.

Case No.: 3:11CV00043

CITY OF CHARLOTTESVILLE,

*Defendant.*

**NOTICE OF CROSS-APPEAL**

NOTICE is hereby given that Defendant City of Charlottesville, by counsel, hereby cross appeals to the United States Court of Appeals for the Fourth Circuit from the portion of the Order denying Defendant's Motion to Dismiss as to lack of standing entered in this action on the 18<sup>th</sup> day of January, 2012.

Respectfully Submitted,  
CITY OF CHARLOTTESVILLE  
By Counsel

s/Richard H. Milnor

Richard H. Milnor, Esquire (VSB #14177)  
Zunka, Milnor & Carter, Ltd.  
414 Park Street  
P O Box 1567  
Charlottesville, VA 22902  
Phone: 434-977-0191  
Fax: 434-977-0198

**CERTIFICATE OF SERVICE**

I hereby certify that on the 15<sup>th</sup> day of February, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Jeffrey E. Fogel, Esquire  
Steven D. Rosenfield, Esquire  
ACLU of Virginia  
913 East Jefferson Street  
Charlottesville VA 22902

Rebecca K. Glenberg, Esquire  
Thomas O. Fitzpatrick, Esquire  
ACLU of Virginia Foundation, Inc.  
530 East Main Street Suite 310  
Richmond VA 23219

s/Richard H. Milnor